

CLASSIFICATION OFFICE DECISION

Title of publication: 169016_105716506169548_100001935978025_45481_2952896_n(2).jpg

Other known title(s): Not stated

OFLC ref: 1400082.002

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Secretary for Internal Affairs

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 04 April 2014

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 04 April 2014

Summary of reasons for decision:

The publication is deemed to be objectionable because it promotes and supports the exploitation of children for sexual purposes. The computer image file is a photographic image in colour. It shows an adult holding a young girl who is urinating in an outdoor setting. The girl is nude except for shoes and socks, with the focus of the image being on the girl's exposed genitals as she urinates. The innocent act of a child urinating in a discreet garden area has been subverted by an opportunistic person who appears to have covertly taken the photograph to exploit the girl's nudity. The publication encourages the viewer to see young girls as sexually desirable and available, and legitimises a sexual interest in children.

The classification of this publication interferes with the freedom of expression set out in section 14 of the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to prevent the availability of publications that promote and support the exploitation of children for sexual purposes.

